



METROPOLITAN
TRANSPORTATION
COMMISSION

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Memorandum

TO: Planning Committee

DATE: July 3, 2008

FR: Deputy Executive Director, Policy

W. I.

RE: Environmental Impact Report (EIR) Mitigation Monitoring Reporting; MTC Resolution No. 1481, Revised

Background

California Environmental Quality Act (CEQA)(CA Public Resources Code Section 21000 et seq) requires that all public agencies adopt criteria and procedures for the evaluation of projects and the preparation of environmental impact reports. The Commission adopted "Environmental Guidelines of the Metropolitan Transportation Commission" as part of MTC Resolution 1481 in February 1985 to comply with CEQA statute.

CEQA guidelines were subsequently amended pursuant to CA Public Resources Code Section 21081.6, which required public agencies to develop monitoring and reporting for changes to a project in order to mitigate or avoid significant effects on the environment. CEQA guidelines were further amended to require local agencies to submit transportation-related environmental monitoring and reporting plans to Caltrans and the appropriate regional transportation planning agency, who are required to adopt guidelines for the submittal of the plans pursuant to CA Public Resources Code Section 21081.7. If a project sponsor has mitigation measures under way pursuant to Cal. PRC Section 21083.6, it must file status reports, pursuant to Cal. PRC Section 21083.7, with MTC's Planning Director. Status reports will be forwarded by the MTC Planning Director to MTC's Planning Committee for information.

Staff Recommendation

Staff recommends that the Planning Committee refer MTC Resolution 1481, Revised to the Commission for approval to amend its guidelines pursuant to CA Public Resources Code Section 21081.7.

Therese McMillan

TM: DK

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Date: February 27, 1985
14.1: 902-80-01
WA.: 9478R
Referred By: WPPRC

ABSTRACT

Resolution No. 1481

This resolution approves and adopts the Environmental Guidelines of the Metropolitan Transportation Commission. This resolution supercedes MTC Resolution No. 76 and 750.

This resolution was revised on July 23, 2008 to amend the guidelines pursuant to state statute. See Deputy Director's memorandum on this subject dated July 3, 2008.

Date: February 27, 1985
W.I.: 902-80-01
W.A.: 9478R
Referred By: WPPRC
Revised: July 23, 2008 – PC

Re: Adoption of the Environmental Guidelines of the Metropolitan Transportation Commission.

METROPOLITAN TRANSPORTATION COMMISSION

RESOLUTION NO. 1481

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code § 66500 et. seq.; and

WHEREAS, the California Environmental Quality Act (CEQA)(Public Resources Code § 21000 et. seq.) provides that all public agencies shall adopt criteria and procedures for the evaluation of projects and the preparation of environmental impact reports; and

WHEREAS, the Commission adopted “MTC Environmental Objectives Criteria and Environmental Review Procedures” on June 13, 1973 (MTC Resolution No. 76); and

WHEREAS, the Commission approved and adopted on January 23, 1980 (MTC Resolution No. 750) the document entitled “Environmental Procedures of the Metropolitan Transportation Commission,” dated December 6, 1979; and

WHEREAS, the Commission approved and adopted on March 25, 1981 (MTC Resolution No. 750, Revised) the revised “Environmental Procedures of the Metropolitan Transportation Commission,” dated January 23, 1980; and

WHEREAS, new guidelines have been drafted in conformance with amendments to the State CEQA Guidelines (14 Cal. Admin. Code § 15000 et seq.) adopted in *August 1983* by the *California* Secretary for Resources; now, therefore, be it

RESOLVED, that the Metropolitan Transportation Commission approves and adopts the “Environmental Guidelines of the Metropolitan Transportation Commission,” attached hereto and marked Attachment A, and said Environmental Guidelines shall supercede the “Environmental Procedures of the Metropolitan Transportation Commission” and the “MTC Environmental Objectives Criteria and Environmental Review Procedures.”

METROPOLITAN TRANSPORTATION COMMISSION

Robert I. Schroder, Chairman

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Martinez, California, on February 27, 1985.

Date: February 27, 1985
W.I.: 902-80-01
W.A.: 9478R
Referred By: WPPRC
Revised: July 23, 2008 – PC

Attachment A
Resolution No. 1481, Revised
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Environmental Guidelines of the Metropolitan Transportation Commission
Revised July, 2008

Pursuant to 14 Cal. Admin. Code § 15022(d), the Metropolitan Transportation Commission adopts the State CEQA Guidelines (14 Cal. Admin. Code § 15000 et. seq.), by this reference as set forth in full with the following additions:

MTC has determined that the following specific activities are within the categorical exemptions established by the state CEQA Guidelines, as authorized by 14 Cal. Admin. Code Section 15300.4:

“Section 15300.4. Application by Public Agencies. Each public agency shall, in the course of establishing its own procedures, list those specific activities, which fall within each of the exempt classes, subject to the qualification that these lists must be consistent with both the letter and the intent expressed in the classes. Public agencies may omit from their implementing procedures classes and examples that do not apply to their activities, but they may not require EIRs for projects described in the classes and examples in this article except under the provisions of Section 15300.2.”

The Class 1 categorical exemption reads as follows:

“Section 15301. Class 1 consists of the operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:

‘(c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities except where the activity will involve removal of a scenic resource including a stand of trees, a rock outcropping, or an historical building.”

MTC finds this exemption includes but is not limited to the following:

Reconstruction or modification of an existing bridge structure on essentially the same alignment or location (e.g., widening less than a single travel lane, adding shoulders or safety lanes, walkways, bikeways, or pipelines) except bridges on or eligible for inclusion on the National Register or bridges providing access to barrier islands.

Reconstruction or modification of an existing one lane bridge structure, presently serviced by a two lane road and used for two lane traffic, to a two lane bridge on essentially the same alignment or location, except bridges on or eligible for inclusion on the National Register or bridges providing access to barrier islands.

Construction of bicycle and pedestrian lanes, paths, and facilities.

Modernization of an existing highway by resurfacing, restoration, rehabilitation, widening, adding shoulders, adding auxiliary lanes for localized purposes (e.g., weaving, turning, climbing), and correcting substandard curves and intersections. This classification is not applicable when the proposed project requires acquisition of more than minor amounts of right—of—way or substantial changes in access control

Highway safety or traffic operations improvement projects including the correction or improvement of high hazard locations, elimination of roadside obstacles, highway signing, pavement markings, traffic control devices, railroad warning devices, and lighting. This classification is not applicable when the proposed action requires acquisition of more than minor amounts of right—of—way or substantial changes in access control.

Project administration and operating assistance to transit authorities to continue existing service or increase service to meet demand.

Pursuant to Division 13 (Environmental Quality), Chapter 2.6, Section 21081.7 of the California Public Resources Code was added in 1989:

21081.7. Transportation information resulting from the reporting or monitoring program required to be adopted by a public agency pursuant to Section 21081.6 shall be submitted to the transportation planning agency in the region where the project is located and to the Department of Transportation for a project of statewide, regional, or areawide significance according to criteria developed pursuant to Section 21083. The transportation planning agency and the Department of Transportation shall adopt guidelines for the submittal of those reporting or monitoring programs.

In compliance with this code section, MTC adopts the following guidelines for submittal of those reporting or monitoring programs:

If a project sponsor has mitigation measures under way pursuant to Cal. PRC Section 21083.6, it must file status reports, pursuant to Cal. PRC Section 21083.7, with MTC's Planning Director. Status reports will be forwarded by the MTC Planning Director to MTC's Planning Committee for information.